

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Miriam Lynch	Team: Squad #9	CCRB Case #: 201802869	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Thursday, 04/05/2018 8:55 PM	Location of Incident: Inside of 3012 3rd Avenue	Precinct: 40	18 Mo. SOL 10/5/2019	EO SOL 10/5/2019	
Date/Time CV Reported Thu, 04/05/2018 11:39 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 04/13/2018 11:11 AM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Nicholas Galimi	24445	954837	040 PCT
2. POM Carl Nuccilli	20479	963184	040 PCT
3. POM Manuel Gutierrez	15714	948589	040 PCT
4. POM Nicholas Rios	06583	955377	PSA 7
5. POM Eduard Lucero	12992	960838	040 PCT
6. Officers			

Officer(s)	Allegation	Investigator Recommendation
A.POM Nicholas Galimi	Force: Police Officer Nicholas Galimi used pepper spray against § 87(2)(b)	
B.POM Carl Nuccilli	Force: Police Officer Carl Nuccilli used pepper spray against § 87(2)(b)	
C.POM Manuel Gutierrez	Force: Police Officer Manuel Gutierrez used a Taser against § 87(2)(b)	
D.POM Nicholas Rios	Force: Police Officer Nicholas Rios struck § 87(2)(b) with an asp.	
E.POM Nicholas Rios	Force: Police Officer Nicholas Rios used a Taser against § 87(2)(b)	
F.POM Eduard Lucero	Force: Police Officer Eduard Lucero used physical force against § 87(2)(b)	
G. Officers	Abuse: Officers forcibly removed § 87(2)(b) to the hospital.	
H.POM Nicholas Galimi	Force: Police Officer Nicholas Galimi struck § 87(2)(b) with an asp.	

Case Summary

On February 5, 2018, Sgt. David Velez of the 40th Precinct filed this complaint under IAB Log 2018-13109 on behalf of § 87(2)(b) on whom a Taser was used multiple times. On April 13, 2018, the CCRB received this complaint under IAB Log number 2018-13583. This complaint included a name, mailing address date of birth for § 87(2)(b)

On April 13, 2018; May 8, 2018; and May 17, 2018, a please call letter was mailed to § 87(2)(b). None of these letters was returned as undeliverable by the U.S. Postal Service. On April 18, 2018, a CTS search revealed a phone number for § 87(2)(b). Between April 18, 2018 and May 22, 2018, six phone calls were placed to this number. Each time, a voice message stating that the phone number was not accepting calls was reached. A DMV search conformed § 87(2)(b)'s address. Whitepages, BADS, Lexis Nexis, and CLEAR searches did not yield any additional information.

Video footage from the responding officers Body Worn Cameras and surveillance footage from the incident location, the Rite Aid at 3012 Third Avenue in the Bronx, was obtained. § 87(2)(g)

On May 22, 2018, a search of the New York City Department of Correction website confirmed that § 87(2)(b) is not incarcerated. § 87(2)(g)

Squad #9

Investigator:	_____	_____	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date